

**FIFTY-FIFTH DAY**  
(Tuesday, May 12, 1987)

The Senate met at 11:00 a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Anderson, Armbrister, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sims, Tejeda, Uribe, Washington, Whitmire, Zaffirini.

Absent-excused: Truan.

A quorum was announced present.

The Reverend Mary Elizabeth Raper, First United Methodist Church, Austin, offered the invocation as follows:

Gracious God, in this moment we seek to focus our attention on You, our Creator, our Redeemer, and our Sustainer.

We remember that You called into being the universe and all that is within it.

We remember that You have been among Your children, always calling us to faithful and responsible servanthood.

We remember that You are with us still, as a comforter and guide.

We give You thanks for Your presence, even here, even now.

As we gather to listen and to speak, You are among us.

As we gather to argue and defend, You are among us.

As we gather to persuade and decide, You are among us.

We pray for ourselves:

for the courage to be Your faithful servants

for the wisdom to recognize what is good and right for all of Your creation

for the compassion to remember the weak and the handicapped, all those who need our special attention and care.

May we have eyes to see and ears to hear what You would have us do for Your creation and for all of Your children. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVE OF ABSENCE**

Senator Truan was granted leave of absence for today on account of important business on motion of Senator Brooks.

**REPORTS OF STANDING COMMITTEES**

Senator Jones submitted the following report for the Committee on Finance:

S.B. 1364  
H.B. 190  
H.B. 328  
H.B. 954  
H.B. 1551  
H.B. 2082  
H.J.R. 96

H.B. 2445  
C.S.S.B. 707  
C.S.H.B. 1614  
C.S.H.B. 1650

Senator Parker submitted the following report for the Committee on Education:

H.C.R. 84  
H.B. 377  
S.B. 730  
S.B. 1473  
S.C.R. 81  
H.B. 2136 (Amended)  
C.S.S.C.R. 69  
C.S.S.C.R. 60  
C.S.S.B. 1487  
C.S.S.B. 802  
C.S.S.B. 696

Senator Santiesteban submitted the following report for the Committee on Natural Resources:

H.B. 2091  
H.B. 1239 (Amended)  
C.S.S.B. 1130  
H.B. 1030  
S.B. 1338  
H.B. 1330  
H.B. 1811  
H.C.R. 80  
H.B. 1990  
H.B. 1148  
H.B. 1329  
H.B. 1327  
H.B. 1326  
S.B. 1373 (Amended)  
H.B. 1509  
H.B. 2404  
H.C.R. 114  
H.B. 938 (Amended)

Senator Farabee submitted the following report for the Committee on State Affairs:

S.B. 1448  
S.B. 1397  
S.B. 1425  
S.B. 1426  
S.B. 1427  
S.B. 1478  
S.C.R. 91  
H.B. 1610  
H.B. 1775  
H.B. 1068  
H.C.R. 32  
H.B. 425

H.B. 1138  
H.B. 1874  
H.B. 1638  
H.B. 1636  
H.B. 613  
C.S.S.B. 1286  
S.B. 1441 (Amended)  
S.B. 974 (Amended)  
C.S.S.B. 21  
C.S.S.B. 985  
C.S.S.B. 1284  
C.S.H.B. 3  
C.S.H.B. 4  
C.S.H.J.R. 5  
C.S.H.J.R. 4  
C.S.H.B. 5  
C.S.S.B. 465

Senator Harris submitted the following report for the Committee on Economic Development:

S.B. 1467  
S.B. 691  
C.S.S.B. 1273  
S.B. 1491  
H.B. 1531

#### MESSAGE FROM THE HOUSE

House Chamber  
May 12, 1987

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to H.B. 834 by a non-record vote.

The House has concurred in Senate amendments to H.J.R. 88 by a record vote of 141 ayes, 1 no and 1 present-not voting.

S.B. 43, Relating to the effect of reversal when a court of appeals or the Court of Criminal Appeals awards a new trial based on errors at a certain stage or certain stages of a trial; amending Article 44.29, Code of Criminal Procedure, 1965, as amended.

H.B. 1848, Relating to the removal of vehicles that are stopped in violation of State law.

H.B. 1285, Relating to a contract for an improvement to a public school's real property.

H.B. 500, Relating to State day-care centers for certain children.

H.B. 1708, Relating to hours worked by certain members of a fire department.

H.B. 1041, Relating to sick leave for public school employees.

**H.B. 750**, Relating to the certification of law enforcement communications officers by the Commission on Law Enforcement Officer Standards and Education; providing a penalty.

**H.B. 715**, Relating to the right of survivorship in a joint account and the payment of funds from a joint account after death or disability of an owner.

**H.B. 349**, Relating to the statute of limitations for certain first degree felonies under organized crime statutes.

The House has granted the request of the Senate for the appointment of a Conference Committee on **S.B. 24**. House conferees: Patronella, Chairman; Delco, Hury, Morales, Ceverha.

**S.B. 1301**, Relating to the optional retirement program and changes necessary to comply with the Tax Reform Act of 1986.

**S.B. 862**, Relating to the regulation of motor buses transporting railroad crews.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### SENATE BILLS ON FIRST READING

On motion of Senator Brooks and by unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

**S.B. 1511** by Brooks Finance  
Relating to the definition of assessed value for purposes of the constitutional limitations on the indebtedness of a political subdivision.

**S.B. 1512** by Brooks Natural Resources  
Relating to the boards of directors of drainage districts in Galveston County.

**S.B. 1513** by Brooks Finance  
Relating to the levy of a maintenance and operation tax for the operation of the ports and harbors of certain cities; providing for the preparation and adoption of budgets for the ports and harbors of certain cities.

**S.B. 1514** by Henderson Finance  
Relating to the rate of certain county hotel occupancy taxes and to the uses of hotel tax revenue in certain counties.

**S.B. 1515** by Henderson Intergovernmental Relations  
Relating to repeal of the highway improvement law for a county with over two million inhabitants.

#### HOUSE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions received from the House were read the first time and referred to the Committee indicated:

**H.J.R. 2**, To Committee on Finance.  
**H.C.R. 106**, To Committee on Education.  
**H.C.R. 142**, To Committee on Jurisprudence.  
**H.B. 43**, To Committee on Natural Resources.  
**H.B. 133**, To Committee on Finance.  
**H.B. 160**, To Committee on Jurisprudence.  
**H.B. 268**, To Committee on Finance.  
**H.B. 359**, To Committee on Criminal Justice.

H.B. 396, To Committee on Criminal Justice.  
H.B. 503, To Committee on State Affairs.  
H.B. 529, To Committee on Finance.  
H.B. 631, To Committee on Criminal Justice.  
H.B. 697, To Committee on Criminal Justice.  
H.B. 723, To Committee on Education.  
H.B. 790, To Committee on Intergovernmental Relations.  
H.B. 813, To Committee on Jurisprudence.  
H.B. 829, To Committee on Natural Resources.  
H.B. 843, To Committee on State Affairs.  
H.B. 914, To Committee on State Affairs.  
H.B. 921, To Committee on State Affairs.  
H.B. 979, To Committee on State Affairs.  
H.B. 994, To Committee on Natural Resources.  
H.B. 1007, To Committee on Education.  
H.B. 1079, To Committee on Jurisprudence.  
H.B. 1090, To Committee on State Affairs.  
H.B. 1103, To Committee on State Affairs.  
H.B. 1127, To Committee on Natural Resources.  
H.B. 1193, To Committee on Intergovernmental Relations.  
H.B. 1210, To Committee on Natural Resources.  
H.B. 1231, To Committee on Natural Resources.  
H.B. 1293, To Committee on State Affairs.  
H.B. 1311, To Committee on Intergovernmental Relations.  
H.B. 1315, To Committee on Natural Resources.  
H.B. 1325, To Committee on Criminal Justice.  
H.B. 1331, To Committee on Criminal Justice.  
H.B. 1356, To Committee on Jurisprudence.  
H.B. 1360, To Committee on Jurisprudence.  
H.B. 1363, To Committee on Jurisprudence.  
H.B. 1384, To Committee on Intergovernmental Relations.  
H.B. 1387, To Committee on Intergovernmental Relations.  
H.B. 1405, To Committee on Education.  
H.B. 1424, To Committee on State Affairs.  
H.B. 1431, To Committee on Economic Development.  
H.B. 1481, To Committee on Education.  
H.B. 1500, To Committee on Natural Resources.  
H.B. 1609, To Committee on Intergovernmental Relations.  
H.B. 1694, To Committee on Finance.  
H.B. 1728, To Committee on Intergovernmental Relations.  
H.B. 1814, To Committee on Finance.  
H.B. 1820, To Committee on Intergovernmental Relations.  
H.B. 1823, To Committee on State Affairs.  
H.B. 1858, To Committee on State Affairs.  
H.B. 1865, To Committee on Natural Resources.  
H.B. 1866, To Committee on Finance.  
H.B. 1881, To Committee on Jurisprudence.  
H.B. 1901, To Committee on State Affairs.  
H.B. 1931, To Committee on Intergovernmental Relations.  
H.B. 1942, To Committee on Natural Resources.  
H.B. 1964, To Committee on Economic Development.  
H.B. 1984, To Committee on State Affairs.  
H.B. 2036, To Committee on Jurisprudence.  
H.B. 2050, To Committee on Natural Resources.

H.B. 2087, To Committee on Jurisprudence.  
 H.B. 2092, To Committee on Health and Human Services.  
 H.B. 2095, To Committee on Economic Development.  
 H.B. 2101, To Committee on Natural Resources.  
 H.B. 2108, To Committee on State Affairs.  
 H.B. 2135, To Committee on Economic Development.  
 H.B. 2144, To Committee on State Affairs.  
 H.B. 2151, To Committee on Finance.  
 H.B. 2165, To Committee on Intergovernmental Relations.  
 H.B. 2171, To Committee on Intergovernmental Relations.  
 H.B. 2243, To Committee on State Affairs.  
 H.B. 2274, To Committee on Intergovernmental Relations.  
 H.B. 2278, To Committee on Economic Development.  
 H.B. 2345, To Committee on Intergovernmental Relations.  
 H.B. 2363, To Committee on Natural Resources.  
 H.B. 2369, To Committee on State Affairs.  
 H.B. 2371, To Committee on State Affairs.  
 H.B. 2392, To Committee on Education.  
 H.B. 2408, To Committee on Criminal Justice.  
 H.B. 2409, To Committee on Natural Resources.  
 H.B. 2456, To Committee on Economic Development.  
 H.B. 2466, To Committee on Health and Human Services.  
 H.B. 2486, To Committee on Jurisprudence.  
 H.B. 2508, To Committee on Intergovernmental Relations.  
 H.B. 2515, To Committee on Intergovernmental Relations.  
 H.B. 2517, To Committee on Natural Resources.  
 H.B. 2526, To Committee on Intergovernmental Relations.  
 H.B. 2532, To Committee on Intergovernmental Relations.  
 H.B. 2535, To Committee on State Affairs.  
 H.B. 2537, To Committee on Natural Resources.  
 H.B. 2539, To Committee on Natural Resources.  
 H.B. 2542, To Committee on Natural Resources.  
 H.B. 2544, To Committee on Natural Resources.  
 H.B. 2546, To Committee on Natural Resources.  
 H.B. 2555, To Committee on Natural Resources.  
 H.B. 2559, To Committee on Finance.  
 H.B. 2560, To Committee on Health and Human Services.  
 H.B. 2563, To Committee on Natural Resources.  
 H.B. 2564, To Committee on Natural Resources.  
 H.B. 2579, To Committee on Natural Resources.  
 H.B. 2580, To Committee on Natural Resources.  
 H.B. 2581, To Committee on Natural Resources.

#### BILLS AND RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bills and resolutions:

S.B. 46	S.B. 1067
S.B. 92	S.B. 1174
S.B. 218	S.B. 1378
S.B. 243	H.B. 725
S.B. 379	H.B. 834
S.B. 430	H.J.R. 88
S.B. 476	H.C.R. 140

S.B. 746	H.C.R. 145
S.B. 751	H.C.R. 154
S.B. 752	H.C.R. 155
S.B. 806	H.C.R. 161
S.B. 851	H.C.R. 162
S.B. 935	H.C.R. 192
S.B. 1024	H.C.R. 199

**SENATE BILL 536 WITH HOUSE AMENDMENT**

Senator Leedom called S.B. 536 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

**Committee Amendment - G. Luna**

Amend S.B. 536, Sec. 30.462, Subsection (c) to read as follows:

(c) The record on appeal consists of a transcript and, if necessary to the appeal, a statement of facts. The court reporter shall prepare the record from the reporter's record or mechanical or videotape recordings of the proceedings. The defendant shall pay for the cost of the transcription. If the court finds that the defendant is unable to pay or give security for the record on appeal after a hearing in response to an affidavit by the defendant, the court shall order the reporter to prepare the record without charge to the defendant. If the case is reversed on appeal, the court shall promptly refund the cost to the defendant.

The amendment was read.

Senator Leedom moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

**SENATE BILL 340 WITH HOUSE AMENDMENT**

Senator Leedom called S.B. 340 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

**Committee Amendment - G. Luna**

(1) In Section 5, page 4, beginning on line 10 delete the words "the clerk or deputy clerk of the court, or a notary public"

(2) In Section 10, page 6, line 19, after the word "city," add the words "If the case is reversed on appeal, the court shall promptly refund the cost to the defendant."

(3) In Section 13, page 8, line 8, delete the words "City Attorney's Office" and substitute the words "city attorney's office"

The amendment was read.

Senator Leedom moved to concur in the House amendment.

The motion prevailed viva voce vote.

**SENATE BILL 333 WITH HOUSE AMENDMENT**

Senator Montford called S.B. 333 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

**Committee Amendment - Delco**

Amend S.B. 333 by adding a new Section 2 to read as follows and renumbering succeeding sections appropriately:

SECTION 2. The City of Midland, organized and incorporated under the laws of the State of Texas, or another corporation organized under the laws of the State of Texas and designated by the City of Midland, is authorized to apply for and accept a grant to establish, operate, and maintain a foreign trade zone adjacent to the Midland Regional Airport, and other subzones, subject to the requirements of federal law and the regulations of the Foreign Trade Zones Board.

The amendment was read.

Senator Montford moved to concur in the House amendment.

The motion prevailed viva voce vote.

**SENATE BILL 659 WITH HOUSE AMENDMENT**

Senator Green called S.B. 659 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

**Committee Amendment - Parker**

Amend S.B. 659 in the following manner:

1. On page 2, line 12, following the word "appointment" insert the following: "not to exceed sixty (60) days,"

The amendment was read.

Senator Green moved to concur in the House amendment.

The motion prevailed viva voce vote.

**SENATE BILL 661 WITH HOUSE AMENDMENT**

Senator Jones called S.B. 661 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

**Floor Amendment - Gavin**

Amend S.B. 661 as follows:

Section 1, page 1, line 16, after "association," insert the words "subject to the limitations contained in article 2.02-1, Texas Business Corporation Act"

Section 2, page 2, line 2, after "association," insert the words "subject to the limitations contained in article 2.02-1, Texas Business Corporation Act"

The amendment was read.

Senator Jones moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.



**SENATE BILL 373 WITH HOUSE AMENDMENT**

Senator Farabee called **S.B. 373** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

**Committee Amendment - Seidlits**

Amend **S.B. 373** by striking all below the enacting clause and substituting in lieu thereof the following:

**SECTION 1.** Section 17.044, Civil Practice and Remedies Code, is amended by adding Subsections (c) and (d) to read as follows:

(c) After the death of a nonresident for whom the secretary of state is an agent for service of process under this section, the secretary of state is an agent for service of process on a nonresident administrator, executor, or personal representative of the nonresident. If an administrator, executor, or personal representative for the estate of the deceased nonresident is not appointed, the secretary of state is an agent for service of process on an heir, as determined by the law of the foreign jurisdiction, of the deceased nonresident.

(d) If a nonresident for whom the secretary of state is an agent for service of process under this section is judged incompetent by a court of competent jurisdiction, the secretary of state is an agent for service of process on a guardian or personal representative of the nonresident.

**SECTION 2.** Section 17.045, Civil Practice and Remedies Code, is amended by adding Subsection (e) to read as follows:

(e) If the secretary of state is served with duplicate copies of process as an agent for a person who is a nonresident administrator, executor, heir, guardian, or personal representative of a nonresident, the secretary shall require a statement of the person's name and address and shall immediately mail a copy of the process to the person.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Farabee moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

**GUEST PRESENTED**

Senator Harris was recognized for presentation of the Capitol Physician for the Day, Dr. Bill Ross of Carrollton.

Dr. Ross was warmly greeted by the Senate and received an expression of appreciation for his continued service.

**SENATE BILL 148 WITH HOUSE AMENDMENTS**

Senator Farabee called **S.B. 148** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

**Committee Amendment - Hury**

Amend **S.B. 148** by striking all below the enacting clause and substituting in lieu thereof the following:

SECTION 1. Effective September 1, 1987, Section 46.002, Government Code, is amended to read as follows:

Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter applies only to the following prosecutors:

(1) the district attorneys for the 2nd, ~~[3rd]~~ 9th, 12th, 21st, 26th, 27th, 29th, ~~[30th]~~ 31st, 32nd, 34th, 36th, 38th, ~~[39th]~~ 43rd, 47th, 49th, 51st, 52nd, 63rd, 64th, 66th, 69th, 70th, 76th, 81st, 85th, 90th, 97th, 105th, 106th, 110th, 118th, 119th, 145th, 155th, 159th, 173rd, 196th, 198th, 216th, 220th, 229th, ~~[235th]~~ 253rd, 266th, 271st, 349th, and 355th judicial districts;

(2) the criminal district attorneys for the counties of Anderson, Bastrop, Bexar, Bowie, Brazoria, Caldwell, Calhoun, Cass, Denton, Eastland, Fort Bend, Galveston, Gregg, Harrison, Hays, Hidalgo, Jackson, Jasper, Jefferson, Kaufman, Lubbock, McLennan, Navarro, Randall, Rockwall, Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Wichita, and Wood; and

(3) the county attorneys performing the duties of district attorneys in the counties of Andrews, Cameron, Castro, Falls, Fannin, Freestone, Grayson, Limestone, Morris, Ochiltree, Orange, Red River, Robertson, Rusk, and Willacy.

SECTION 2. Effective January 1, 1989, Section 46.002, Government Code, is amended to read as follows:

Sec. 46.002. PROSECUTORS SUBJECT TO CHAPTER. This chapter applies only to the following prosecutors:

(1) the district attorneys for the 2nd, ~~[3rd]~~ 9th, 12th, 21st, 26th, 27th, 29th, ~~[30th]~~ 31st, ~~[32nd]~~ 34th, 36th, 38th, ~~[39th]~~ 43rd, 47th, 49th, 51st, 52nd, 63rd, 64th, 66th, 69th, 70th, 76th, 81st, 85th, 90th, 97th, 105th, 106th, 110th, 118th, 119th, 145th, 155th, 159th, 173rd, 196th, 198th, 216th, 220th, 229th, ~~[235th]~~ 253rd, 266th, 271st, 349th, and 355th judicial districts;

(2) the criminal district attorneys for the counties of Anderson, Bastrop, Bexar, Bowie, Brazoria, Calhoun, Caldwell, Cass, Denton, Eastland, Fort Bend, Galveston, Gregg, Harrison, Hays, Hidalgo, Jackson, Jasper, Jefferson, Kaufman, Lubbock, McLennan, Navarro, Randall, Rockwall, Smith, Tarrant, Taylor, Tyler, Upshur, Van Zandt, Victoria, Walker, Wichita, and Wood; and

(3) the county attorneys performing the duties of district attorneys in the counties of Andrews, Cameron, Castro, Falls, Fannin, Freestone, Grayson, Limestone, Morris, Ochiltree, Orange, Red River, Robertson, Rusk, and Willacy.

SECTION 3. Sections 43.128(d) and 44.119(c), Government Code, are repealed.

SECTION 4. This Act takes effect September 1, 1987.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

**Floor Amendment - Hammond**

Amend **C.S.S.B. 148** as follows:

(1) On page 2, line 22, strike "and" and substitute a comma.

(2) On page 2, line 22, between "44.119(c)," and "Government", insert "and 45.281,".

The amendments were read.

Senator Farabee moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on **S.B. 148** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Farabee, Chairman; Anderson, Armbrister, Parker and Zaffirini.

#### SENATE BILL 861 WITH HOUSE AMENDMENT

Senator Anderson called **S.B. 861** from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

#### Committee Amendment - Yost

Amend **S.B. 861** by striking all below the enacting clause and substituting in lieu thereof the following:

SECTION 1. Section 3, Chapter 772, Acts of the 69th Legislature, Regular Session, 1985, is amended to read as follows:

Sec. 3. BOUNDARIES. The district is composed of all of the territory within the corporate boundaries of the cities of Longview, Marshall, and Kilgore and of Harrison County on the effective date of this Act. ~~[An area within the extraterritorial jurisdiction of one of those cities that is annexed to that city becomes a part of the district when annexed.]~~

SECTION 2. Chapter 772, Acts of the 69th Legislature, Regular Session, 1985, is amended by adding Section 3A to read as follows:

Sec. 3A. ANNEXATION OF TERRITORY. (a) The governing body of a city not included in the district may adopt a resolution requesting the district to annex the territory of the city, or, if part of a city is included in the district, the city may adopt a resolution requesting the district to annex the remainder of the city.

(b) After receiving a copy of a resolution requesting annexation adopted by the governing body of a city, the board shall hold a public hearing to determine if all or part of the territory described by the resolution should be annexed. The board shall publish notice of the hearing in a newspaper with general circulation in the district and in the area seeking to be annexed not later than the 10th day before the date of the hearing.

(c) After the hearing, if the board finds that the district and the proposed area to be annexed would benefit by annexation, the district may adopt an order either annexing the area or, if an election is required pursuant to Subsection (d) of this section, calling an annexation election.

(d) If the voters of the district have authorized a maintenance tax for the district or the issuance of bonds, or both, an election shall be held in the district and in the area proposed to be annexed to allow the voters of the district and the proposed area to vote on whether the proposed area will be annexed to the district, will assume its proportionate share of the district's indebtedness, and will authorize the maintenance tax to be collected in the area to be annexed. If an entire city is proposed to be annexed to the district, the election shall be held only in the city to be annexed.

(e) The annexation must be approved by a majority of the voters voting at the election.

SECTION 3. All resolutions, orders, and other acts or attempted acts of the board of directors of the Little Cypress Utility District, including the calling and holding of the confirmation election, the canvassing of the returns, declaring the result of the election, and the appointment and organization of the board are validated in all respects. All the resolutions, orders, and other acts or attempted acts of the board of directors of the district, including the calling and holding of the confirmation election, the canvassing of the returns, declaring the result of the election, and the appointment and organization of the board are valid as though they were legally authorized or accomplished.

SECTION 4. This Act does not apply to or affect litigation now pending in any court of competent jurisdiction in this state to which the Little Cypress Utility District is a party.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Anderson moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

#### SENATE BILL 537 WITH HOUSE AMENDMENT

Senator Parker called S.B. 537 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

#### Floor Amendment - R. Smith

Amend S.B. 537, 3rd Reading, by adding a new Section appropriately numbered to read as follows:

"The provisions of this Act expire September 1, 1999,"

The amendment was read.

Senator Parker moved to concur in the House amendment.

The motion prevailed viva voce vote.

#### SENATE BILL 367 WITH HOUSE AMENDMENT

Senator Parker called S.B. 367 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

#### Floor Amendment - Eckels

Amend S.B. 367 by adding at the end of line 9 page 2:

(d) The Central Appraisal District for the county shall determine the cost of appraising boats required by a governing body under the provisions of Subsection (c) and shall assess those costs to the taxing unit or taxing units which provide for the taxation of boats.

The amendment was read.

Senator Parker moved to concur in the House amendment.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

#### SENATE BILL 1115 ON SECOND READING

On motion of Senator Tejeda and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 1115**, Relating to the disposition of certain weapons seized in connection with an offense.

The bill was read second time.

Senator Tejeda offered the following amendment to the bill:

Amend **S.B. 1115** by striking everything below the enacting clause and substituting the following:

**SECTION 1.** Article 18.18(a), Code of Criminal Procedure, is amended to read as follows:

(a) Following the final conviction of a person for possession of a gambling device or equipment, altered gambling equipment, or gambling paraphernalia, for an offense involving a criminal instrument, for an offense involving an obscene device or material, ~~[or for an offense involving a prohibited weapon;]~~ the court entering the judgment of conviction shall order that the machine, device, gambling equipment or gambling paraphernalia, instrument, obscene device or material ~~[or weapon]~~ be destroyed or forfeited to the state. Following the final conviction of a person for an offense involving a prohibited weapon, the court entering the judgment of conviction shall order that the prohibited weapon be destroyed or forfeited to the state or to a political subdivision of the state for use by law enforcement. Following the final conviction of a person for an offense involving dog fighting, the court entering the judgment of conviction shall order that any dog-fighting equipment be destroyed or forfeited to the state. Destruction of dogs, if necessary, must be carried out by a veterinarian licensed in this state or, if one is not available, by trained personnel of a humane society or an animal shelter. If forfeited, the court shall order the contraband delivered to the state, any political subdivision of the state, or to any state institution or agency. If gambling proceeds were seized, the court shall order them forfeited to the state and shall transmit them to the grand jury of the county in which they were seized for use in investigating alleged violations of the Penal Code, or to the state, any political subdivision of the state, or to any state institution or agency.

**SECTION 2.** Article 18.19, Code of Criminal Procedure, is amended to read as follows:

Art. 18.19. **DISPOSITION OF SEIZED ~~[CERTAIN]~~ WEAPONS.** (a) Weapons seized in connection with an offense involving the use of a ~~[deadly]~~ weapon or an offense under Penal Code Chapter 46 shall be held by the law enforcement agency making the seizure, subject to the following provisions, unless:

(1) the weapon is a prohibited weapon identified in Penal Code Chapter 46, in which event Article 18.18 of this code applies; or

(2) the weapon is alleged to be stolen property, in which event Chapter 47 of this code applies.

(b) When a weapon described in Paragraph (a) of this article is seized, and the seizure is not made pursuant to a search or arrest warrant, the person seizing the

same shall prepare and deliver to a magistrate a written inventory of each weapon seized.

(c) If there is no prosecution or conviction for an offense involving the weapon seized, the magistrate to whom the seizure was reported shall notify in writing the person found in possession that he is entitled to the weapon upon request to the court in which he was convicted. If the weapon is not requested within 60 days after notification, the magistrate shall ~~may~~ order the weapon destroyed or forfeited to the state for use by the law enforcement agency holding the weapon.

(d) A person convicted under Penal Code Chapter 46 is entitled to the weapon seized upon request to the law enforcement agency holding the weapon. However, the court entering the judgment of conviction shall ~~may~~ order the weapon destroyed or forfeited to the state for use by the law enforcement agency holding the weapon if:

(1) the person does not request the weapon within 60 days after ~~his release from jail or~~ the date of the judgment of conviction ~~[if he was not imprisoned]; [or]~~

(2) the person has been previously convicted under Penal Code Chapter 46; or

(3) the weapon is one defined as a prohibited weapon under Penal Code Chapter 46.

(e) If the person found in possession of a weapon is convicted of an offense involving the use of the weapon ~~[a deadly weapon or under Penal Code Chapter 46]~~, the court entering judgment of conviction shall ~~may~~ order destruction of the weapon or forfeiture to the state for use by the law enforcement agency holding the weapon.

SECTION 3. This Act takes effect September 1, 1987, and the change in law made by this Act only applies to the disposition of weapons seized on or after the effective date of this Act. The disposition of a weapon seized before the effective date of this Act is covered by the law in effect when the weapon was seized, and the former law is continued in effect for this purpose.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The amendment was read and was adopted viva voce vote.

On motion of Senator Tejeda and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

#### SENATE BILL 1115 ON THIRD READING

Senator Tejeda moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 1115 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed viva voce vote.

**SENATE BILL 1380 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 1380**, Relating to the authority of certain governmental entities to reduce employees' salaries for the purchase of annuities or investments for the employees.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 1380 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1380** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE SENATE CONCURRENT RESOLUTION 117  
ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

**C.S.S.C.R. 117**, Directing the Central Education Agency to use their authority to clarify and give direct guidelines regarding compulsory attendance.

The resolution was read second time and was adopted viva voce vote.

**SENATE BILL 1084 ON SECOND READING**

On motion of Senator Lyon and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 1084**, Relating to the testimony of a child in certain administrative proceedings.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 1084 ON THIRD READING**

Senator Lyon moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1084** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

**VOTE BY WHICH SENATE REFUSED TO CONCUR IN HOUSE  
AMENDMENTS TO SENATE BILL 1428 RECONSIDERED**

On motion of Senator Edwards and by unanimous consent, the vote by which the Senate refused to concur in the House amendments to **S.B. 1428** was reconsidered.

Question - Shall the Senate concur in the House amendments to the bill?

On motion of Senator Edwards, the Senate concurred in the House amendments to **S.B. 1428** by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

**CONFERENCE COMMITTEE ON  
SENATE BILL 1428 DISCHARGED**

On motion of Senator Edwards and by unanimous consent, the Conference Committee appointed on **S.B. 1428** was discharged.

**SENATE BILL 1212 ON SECOND READING**

On motion of Senator Lyon and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 1212**, Relating to conviction of a sexual offense on the testimony of a child; amending Article 38.07, Code of Criminal Procedure, 1965.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 1212 ON THIRD READING**

Senator Lyon moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1212** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed viva voce vote.

**SENATE BILL 884 ON SECOND READING**

Senator Edwards asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

**S.B. 884**, Relating to furnishing a voter with a written communication for use at the polling place.

There was objection.

Senator Edwards then moved to suspend the regular order of business and take up **S.B. 884** for consideration at this time.

The motion prevailed by the following vote: Yeas 22, Nays 7.

Yeas: Anderson, Armbrister, Barrientos, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Johnson, Jones, Leedom, Lyon, Montford, Parmer, Santiesteban, Sarpalius, Tejeda, Uribe, Washington, Whitmire, Zaffirini.

Nays: Blake, Brown, Harris, Henderson, Krier, McFarland, Sims.

Absent: Parker.



Absent-excused: Truan.

The bill was read second time.

Senator Farabee offered the following amendment to the bill:

Amend **S.B. 884** by inserting a new Section 3 of the bill, and by renumbering the subsequent sections accordingly, to read as follows:

**SECTION 3.** Chapter 63, Election Code, is amended by adding Section 63.013 to read as follows:

**Sec. 63.013. PROHIBITION ON LEAVING WRITTEN COMMUNICATION IN POLLING PLACE.** (a) A voter may not leave at a voting station or any other location in the polling place any written communication that is marked or printed in a manner that identifies one or more candidates or measures in the election.

(b) An election officer shall periodically check for and remove any written communication left in the polling place in violation of Subsection (a).

The amendment was read and was adopted viva voce vote.

On motion of Senator Edwards and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

#### **MOTION TO PLACE SENATE BILL 884 ON THIRD READING**

Senator Edwards moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 884** be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 22, Nays 7. (Not receiving four-fifths vote of Members present)

Yeas: Anderson, Armbrister, Barrientos, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Johnson, Jones, Leedom, Lyon, Montford, Parmer, Santiesteban, Sarpalius, Sims, Tejeda, Uribe, Whitmire, Zaffirini.

Nays: Blake, Brown, Harris, Henderson, Krier, McFarland, Washington.

Absent: Parker.

Absent-excused: Truan.

#### **COMMITTEE SUBSTITUTE SENATE BILL 819 ON SECOND READING**

On motion of Senator Armbrister and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 819**, Relating to licensing and renewal of licenses of nursing homes.

The bill was read second time.

Senator Edwards offered the following amendment to the bill:

Amend Section 1 of **C.S.S.B. 819** as follows:

1. On page 1, line 36 add the following language after the word "program.":  
If the Joint Commission does not conduct an on-site annual inspection or review, the Licensing Agency, in accordance with its own standards, shall make the

inspection for the issuance of a license. If the Joint Commission does conduct an on-site annual inspection or review, but the Licensing Agency determines that the annual inspection or review conducted by the Joint Commission does not meet the minimum standards required by the Licensing Agency, then the Licensing Agency shall reject the Joint Commission annual inspection in lieu of license renewal and instead shall conduct its own license inspection.

2. On page 1, line 39 strike the words “on notifications of action” and substitute the following language in lieu of: to implement the procedures of this subsection. The memorandum of agreement must provide that if, in the development, interpretation, and implementation of the memorandum, there is a lack of agreement of all parties involved, the Joint Commission shall accept the Licensing Agency’s position.

3. On page 1, line 41 strike the words “all other” and add the word “any” after the word “performing” and before the word “duties”.

4. On page 1, line 44 strike the period after the word “Act” and add the following language in lieu of:  
including authority to take appropriate action relating to a facility, such action including but not limited to closing the facility.

The amendment was read and was adopted viva voce vote.

On motion of Senator Armbrister and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

#### **COMMITTEE SUBSTITUTE SENATE BILL 819 ON THIRD READING**

Senator Armbrister moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 819** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed viva voce vote.

#### **SENATE BILL 1251 ON SECOND READING**

On motion of Senator Sarpalius and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 1251**, Relating to an exclusion from unemployment compensation coverage for farm and ranch labor performed by custom harvesters.

The bill was read second time and was passed to engrossment viva voce vote.

#### **SENATE BILL 1251 ON THIRD READING**

Senator Sarpalius moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 1251** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed viva voce vote.

**COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 5  
ON SECOND READING**

Senator Parmer moved to suspend the regular order of business to take up for consideration at this time:

**C.S.S.J.R. 5**, Proposing a constitutional amendment providing for annual legislative sessions.

The motion prevailed by the following vote: Yeas 21, Nays 9.

Yeas: Anderson, Armbrister, Barrientos, Brooks, Edwards, Farabee, Glasgow, Green, Johnson, Jones, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Tejeda, Uribe, Washington, Whitmire.

Nays: Blake, Brown, Caperton, Harris, Henderson, Krier, Leedom, Sims, Zaffirini.

Absent-excused: Truan.

The resolution was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE JOINT RESOLUTION 5  
ON THIRD READING**

Senator Parmer moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.J.R. 5** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Anderson, Armbrister, Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Johnson, Jones, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Tejeda, Uribe, Whitmire, Zaffirini.

Nays: Brown, Henderson, Krier, Leedom, Sims, Washington.

Absent-excused: Truan.

The resolution was read third time and was passed by the following vote: Yeas 21, Nays 9.

Yeas: Anderson, Armbrister, Barrientos, Brooks, Edwards, Farabee, Glasgow, Green, Johnson, Jones, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Tejeda, Uribe, Washington, Whitmire.

Nays: Blake, Brown, Caperton, Harris, Henderson, Krier, Leedom, Sims, Zaffirini.

Absent-excused: Truan.

**COMMITTEE SUBSTITUTE SENATE BILL 38  
ON SECOND READING**

Senator Parmer moved to suspend the regular order of business to take up for consideration at this time:

**C.S.S.B. 38**, Relating to implementation of annual legislative sessions.

The motion prevailed by the following vote: Yeas 21, Nays 9.

Yeas: Anderson, Armbrister, Barrientos, Brooks, Edwards, Farabee, Glasgow, Green, Johnson, Jones, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Tejada, Uribe, Washington, Whitmire.

Nays: Blake, Brown, Caperton, Harris, Henderson, Krier, Leedom, Sims, Zaffirini.

Absent-excused: Truan.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE SENATE BILL 38  
ON THIRD READING**

Senator Parmer moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 38 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Anderson, Armbrister, Barrientos, Blake, Brooks, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Johnson, Jones, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Tejada, Uribe, Whitmire, Zaffirini.

Nays: Brown, Henderson, Krier, Leedom, Sims, Washington.

Absent-excused: Truan.

The bill was read third time and was passed viva voce vote.

**RECORD OF VOTES**

Senators Blake, Brown, Henderson, Krier, Leedom, Sims and Zaffirini asked to be recorded as voting "Nay" on the final passage of the bill.

**SENATE BILL 880 ON SECOND READING**

On motion of Senator Leedom and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 880**, Relating to reasons for challenges for cause.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 880 ON THIRD READING**

Senator Leedom moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 880** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed viva voce vote.

**HOUSE BILL 1260 ON SECOND READING**

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 1260**, Relating to the distribution and sale of liquefied petroleum gas; providing a penalty.

The bill was read second time and was passed to third reading viva voce vote.

**HOUSE BILL 1260 ON THIRD READING**

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1260 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed viva voce vote.

**HOUSE BILL 1050 ON SECOND READING**

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 1050**, Relating to educational programs for gifted and talented students.

The bill was read second time and was passed to third reading viva voce vote.

**HOUSE BILL 1050 ON THIRD READING**

Senator Parker moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that H.B. 1050 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed viva voce vote.

**SENATE BILL 1112 ON SECOND READING**

On motion of Senator Krier and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 1112**, Relating to the admissibility of a hearsay statement by an abused child in civil cases and administrative proceedings.

The bill was read second time.

Senator Krier offered the following amendment to the bill:

Amend **S.B. 1112** in Subsection (c)(1), Section 22.021, Civil Practice and Remedies Code, as added by Section 1 of the bill, by striking "14 day" and substituting "5th day".

The amendment was read and was adopted viva voce vote.

On motion of Senator Krier and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

**SENATE BILL 1112 ON THIRD READING**

Senator Krier moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 1112 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Truan.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Truan.

#### **SENATE BILL 1506 REREFERRED**

On motion of Senator Armbrister and by unanimous consent, **S.B. 1506** was withdrawn from the Committee on Intergovernmental Relations and rereferred to the Committee on Natural Resources.

#### **HOUSE BILL 1043 REREFERRED**

On motion of Senator Harris and by unanimous consent, **H.B. 1043** was withdrawn from the Committee on Finance and rereferred to the Committee on Economic Development.

#### **CONGRATULATORY RESOLUTIONS**

**S.C.R. 119** - By Sarpalius: Proclaiming the week of May 17 through 23, 1987, as "Take Pride in America" Awareness Week.

**S.R. 523** - By Brown: Extending congratulations to the City of Freeport on its 75th anniversary.

**S.R. 524** - By Sarpalius: Commending Doris-Gale Crownover.

**S.R. 526** - By Caperton: Expressing appreciation to Dr. Ed Reed, Capitol Physician for the Day.

#### **ADJOURNMENT**

On motion of Senator Brooks, the Senate at 12:22 p.m. adjourned until 10:30 a.m. tomorrow.

#### **APPENDIX**

Sent to Governor  
(May 12, 1987)

<b>S.C.R. 84</b>	<b>S.B. 430</b>
<b>S.C.R. 99</b>	<b>S.B. 476</b>
<b>S.B. 494</b>	<b>S.B. 746</b>
<b>S.B. 638</b>	<b>S.B. 751</b>
<b>S.B. 742</b>	<b>S.B. 752</b>
<b>S.B. 894</b>	<b>S.B. 806</b>
<b>S.B. 895</b>	<b>S.B. 851</b>
<b>S.B. 46</b>	<b>S.B. 935</b>
<b>S.B. 92</b>	<b>S.B. 1024</b>
<b>S.B. 218</b>	<b>S.B. 1067</b>
<b>S.B. 243</b>	<b>S.B. 1174</b>
<b>S.B. 379</b>	<b>S.B. 1378</b>

Signed by Governor  
(May 12, 1987)

**H.B. 254** (Effective August 31, 1987)

**H.B. 442** (Effective August 31, 1987)

**H.B. 623** (Effective September 1, 1987)

**H.B. 783** (Effective August 31, 1987)

**H.B. 1279** (Effective September 1, 1987)

**H.B. 1280** (Effective September 1, 1987)

**S.B. 311** (Effective immediately)

**S.B. 320** (Effective September 1, 1987)

**S.B. 483** (Effective immediately)

**S.C.R. 84**

**S.C.R. 99**

**S.C.R. 108**

Filed with Secretary of State  
(May 12, 1987)

**H.J.R. 88**

#### **FIFTY-SIXTH DAY**

(Wednesday, May 13, 1987)

The Senate met at 10:30 a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Anderson, Armbrister, Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Green, Harris, Henderson, Johnson, Jones, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sims, Tejada, Uribe, Washington, Whitmire, Zaffirini.

Absent-excused: Truan.

A quorum was announced present.

The Reverend David Evans, Shepherd of the Hills Presbyterian Church, Austin, offered the invocation as follows:

Most merciful and gracious God, by whom these who trust in You are guided in their deliberations, grant us in times of doubt and uncertainty the grace to ask what You would have us to do. We ask Your special blessing today upon our Senators. Grant them grace to fight for what is true and right, and to be ready if need be to suffer for it. Do not let them be overcome by our fears, but give them the courage of their convictions. May Your spirit of wisdom save us all from false choices, and may we walk in Your light, seeing the straight path You have set before us. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.